



January 18, 2018

The Honorable Secretary Kirstjen Nielsen
Department of Homeland Security
3801 Nebraska Avenue NW
Washington, DC 20016

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Dear Secretary Nielsen,

On behalf of the Sisters of Mercy of the Americas and our colleagues, I want to thank you for making time to meet with us on January 5th. We are grateful for your openness to listen to our concerns.

We are, at the same time, deeply disappointed by the decision to end Temporary Protected Status (TPS) for the 200,000 Salvadoran nationals living in the United States. As we shared with you, these are our neighbors, our fellow congregants, our friends—who are now bearing unnecessary and profound suffering as they face torturous decisions around their fate, and the fate of their nearly 192,000 US citizen children.

Clearly, El Salvador is a furnace of violence—one of the most violent countries on the globe that is not in war; and we believe that the TPS criteria in the statute around “extraordinary circumstances” could have been interpreted to include the danger we are about to send people into. We fear that the lack of capacity in El Salvador to absorb returning nationals, as well as the impact on its economy, will be destabilizing and likely result in future migration flows.

While we are urging Congress to seek legislative solutions to regularize the status of TPS recipients, we also ask you to consider the authority of DHS/USCIS to take administrative action, as has been done in the past by Republican and Democratic Administrations alike to address the situation of particular groups of immigrants (e.g., Vietnamese and Cambodians), and regularize the status of the Salvadorans until Congress approves comprehensive immigration reform. Nothing in current law prohibits or inhibits DHS/USCIS from doing so, and if fact, it may be warranted for areas that will be economically disadvantaged because of this decision, like South Florida and South Texas.

Sisters of Mercy of the Americas

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We believe that family is sacred. Every human being on our globe deserves a stable home and peace of mind, including immigrants; and both our nation's founding principles and our faith traditions have a claim on our lives -- reminding us of our deepest humanitarian obligations. We implore you to reflect on what you might be able to do to help our country reclaim the moral higher ground with regard to our immigrant sisters and brothers, and we assure you of our prayers as you discern how best to move forward with the responsibilities placed in your hands.

Thank you again for making the time to meet.

Blessings of peace,

A handwritten signature in cursive script, reading "Aine O'Connor, am". The signature is written in dark ink and is positioned above a horizontal line.

Sister Aine O'Connor, Councilor, Leadership Team
Sisters of Mercy of the Americas

Cc: Ambassador James Nealon, Assistant Secretary of International Affairs, DHS



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The Honorable Kirstjen Nielsen
Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

March 13, 2018

Sister Aine O'Connor
Councilor, Leadership Team
Sisters of Mercy of the Americas
8380 Colesville Road, #300
Silver Spring, Maryland 20910

Dear Sister O'Connor:

Thank you for your January 18, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designation for El Salvador. The Secretary of Homeland Security's authority to designate a country for TPS and to extend or terminate a country's existing designation is based upon specific statutory criteria. *See* Immigration and Nationality Act (INA) § 244(b). U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

At least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign country and, after consultation with other appropriate federal agencies, determine whether the statutory conditions for TPS continue to be met. Under the INA, if the Secretary determines that the conditions for designation are no longer met with respect to a country, the Secretary is required to terminate the designation. *See* INA § 244(b)(1), (3).

Secretary Nielsen decided to terminate the TPS designation for El Salvador after considering information from several U.S. Government sources, with a delay of 18 months to allow for an orderly transition before the designation terminates on September 9, 2019. The Department of Homeland Security is committed to an orderly transition that will allow time for El Salvador to prepare for the return and reintegration of its citizens. USCIS will work with the State Department and the government of El Salvador to help inform relevant stakeholders in-country and in the United States to ensure an orderly return and reintegration of El Salvador's citizens. Additional details on the Secretary's decision and the process for current El Salvador TPS beneficiaries to renew their work authorization documentation until TPS terminates on September 9, 2019, can be found on the USCIS website and in a notice that was published in the *Federal Register* on January 18, 2018.

Thank you again for your letter and interest in this important issue. Should you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

L. Francis Cissna
Director